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Docket No. 1232-4720**REMARKS****Claim Status**

Claims 1-29 are pending and are rejected. Claims 1, 7, 8, 10, 12-19, 23, 24, 28 and 29 are herein amended, all of which are independent in form. No new matter has been presented.

Rejections Under 35 U.S.C. §§ 102/103

Claims 1, 7, 8, 10, 12-20, 23-25, 28 and 29 have been rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Fuchigami (USP 6,463,410). Claims 2, 6, 9, 11, 21, 22, 26 and 27 have been rejected under 35 U.S.C. §103 as allegedly being unpatentable over Fuchigami. Claims 3-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fuchigami in view of Upadrasta (U.S. Patent No. 6,771,594).

Applicant does not agree with the stated rejections, and respectfully traverses said rejections. Applicant has herein amended independent claims 1, 7, 8, 10, 12-19, 23, 24, 28 and 29 to further clarify the claimed invention and submits that these independent claims, and the claims dependent therefrom, are patentable over the cited art.

According to the characteristic explicitly incorporated into amended independent claims 1, 7, 8, 10, 12-19, 23, 24, 28 and 29, the number of channels suitable for audio data to be used can be set by both the transmission apparatus and the reception apparatus whereby it is possible to set an optimum communication environment.

On the other hand, Fuchigami does not disclose in detail the communication between its own and partner's apparatuses, and is silent about a multi channel environment. Upadrasta discloses an RTCP packet, but does not disclose or suggest transmission of the number of channels in the communication between its own and partner's apparatuses.

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Accordingly, even if Fuchigami and Upadrasta are combined, such a combination cannot achieve "transmitting of the set number of audio channels to the reception apparatus", much less "setting of the number of channels to be used for the transmission, according to the kind of audio source of the transmission apparatus, and transmitting of the set number of audio channels to the reception apparatus," as recited e.g., in claim 1. Similarly, for independent claims 7, 8, 10, 12-19, 23, 24, 28 and 29.

Therefore, it is believed that the inventions as recited in the amended independent claims are not disclosed, taught or suggested by, and are thus neither anticipated by nor rendered obvious in view of, Fuchigami or Upadrasta, taken individually or in any appropriate combination thereof, in at least the foregoing respects.

In addition, it is further respectfully submitted that the other references of record do not disclose or suggest at least the above characteristic of the claimed invention.

Applicant has not independently addressed the rejections of the dependent claims because these claims respectively depend directly or indirectly from the independent claims, which are believed allowable as set forth above, and such dependent claims are believed allowable for at least the same reasons as for the independent claim from which they depend. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

Thus, Applicant respectfully submits that the invention as recited in the claims as presented herein is allowable over the art of record, and respectfully request that the respective rejections be withdrawn.

In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

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Docket No. 1232-4720**CONCLUSION**


In view of the foregoing, Applicant respectfully requests reconsideration and allowance of this application.

Applicant believes no fees or extension of time are required for this filing. However, should an extension of time be necessary to render this filing timely, such extension is hereby petitioned and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4720.

Respectfully submitted,
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